THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.23480 of 1996

ORAL ORDER:

It appears, petitioner joined as Junior Telecom Officer in the year 1979 with second respondent. While so, he was deputed to work with first respondent from 3.1.1994 to 31.7.1996. While he was in deputation, he was promoted as Assistant Engineer with effect from 3.6.1994. During the period from 27.7.1994 to 31.8.1995, petitioner was deputed to Ghana (Banana Republics). In fact the parent department passed an order of promotion on 3.6.1994 and intimated the same to the Deputy Manager, Personnel, TCIL, New Delhi on 17.6.1994. Further, on 10.11.1995, the Ministry of Communications, Department of Telecom, New Delhi issued proceedings showing that the petitioner has been promoted as Assistant Engineer with effect from 12.8.1994. Thus, it is clear that the petitioner was promoted while he was in Ghana. Now the complaint of the petitioner is that althrough when was working in Ghana from 27.7.1994 to 31.8.1995, he was paid 18 US dollars per day as daily allowance, but as an Assistant Engineer, he was entitled to 22 US dollars per day as daily allowance. The respondents have paid such allowances i.e. 22 US dollars per day to so many employees those who worked along with him, whereas, he was paid only 18 US dollars per day treating him as Junior Telecom Officer.

A detailed counter affidavit has been filed denying the allegations made by the petitioner. However, it is not denied that an Assistant Engineer was entitled to 22 US dollars per day as daily allowance while working in Ghana.

The only controversy is that the order of promotion made by

third respondent was not communicated to the first respondent, therefore, the petitioner was not paid daily allowance at the rate of 22 US dollars per day and he was paid only 18 dollars per day treating him as Junior Telecom Officer. These all seems to have been happened because of the communication gap, but not because of the mistake committed by the petitioner. When the first respondent collected on project basis and paid 22 US dollars per day as daily allowance to the Assistant Engineers, the petitioner is also entitled to the same on par with others.

In the result, the writ petition is allowed as prayed for directing the respondents to pay the said difference amount towards allowance to the petitioner within a period of eight weeks from the date of receipt of a copy of this order. No order as to costs.

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C.V.RAMULU,
J

Date: 5.12.2006

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THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.23480 of 1996

5.12.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.23480 of 1996

Date: 5th December, 2006

Between:

Mohan Duddella

.. Petitioner

And

The Chairman-cum-Managing Director,
TCIL, Chirangiv Tower, 3rd floor,
43, Nehru Place, New Delhi & 2 others.

.. Respondents